

REMARKS

Claims 1-11 are currently pending in this application.

The Examiner asserts that the present invention contains claims directed to two patentably distinct inventions under 35 USC § 121:

Group I, claims 1-10, drawn to a saw blade; and

Group II, claim 11, drawn to a method of cutting wood.

The Examiner asserts that the invention of Group I and II are unrelated because the process as claimed in Group II can be practiced by another materially different apparatus, or the apparatus as claimed in Group I can be used to practice another materially different process. Therefore, the Examiner asserts that these inventions are distinct and have acquired a separate status in the art as shown by their different classifications.

Applicant respectfully transverses the Restriction Requirement on the grounds that no serious burden exist on the Examiner in examining all of the claims in a single application. When searching and examining the Group I claims, the Examiner will also encounter subject matter set forth in the Group II claim. Therefore, a separate search would not be required. On the other hand, a requirement that the Applicant (a sole inventor) pay the additional government fees necessitated by divisional applications for the one Group II claim does not appear warranted in this case. In view of the above, withdrawal of the Restriction Requirement is respectfully requested. If the Examiner maintains the Restriction Requirement, Applicant hereby reserves a right to prosecute non-elected claim 11 by way of a divisional application at a future date.

The Examiner asserts that the present application contains claims directed to two patentably distinct species and has required an election under 35 USC § 121 of the following species of the claimed invention:

Species A – Figs. 1-5; and

Species B – Figs. 6-8.

The Examiner has determined that pending claims 1-11 are generic and has required that Applicant elect a single species for initial examination on the merits. Applicant

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hereby elects with traverse the species represented by Figs. 1-5. All of claims 1-11 read on this elected species.

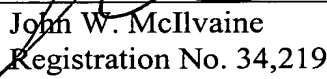
Applicant respectfully transverses the Species Election Requirement on the grounds that there are sufficiently few species that a search and examination of all the species at one time would not impose a serious burden on the Examiner. All of the claims read on Figs. 1-5, and the variations shown in Figs. 6-8 (e.g., tooth rack angle) will not broaden the search obligation. In view of the above, withdrawal of the Species Election Requirement is respectfully requested.

Applicant awaits the Examiner's action on the merits.

Respectfully submitted,

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